



S-353  
online

**ORDINANCE NUMBER 2833**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A 2,166 SQUARE FOOT TWO-STORY BUILDING ADDITION AND AMEND A SITE PLAN ASSOCIATED WITH AN EXISTING FUNERAL HOME LOCATED AT 2710 VALLEY VIEW LANE AND WITHIN THE OFFICE ZONING DISTRICT; PROVIDING FOR INJUNCTIVE RELIEF; AMENDING ORDINANCE NO. 2542; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance as amended; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to amend a site plan associated with an existing specific use permit (Ordinance No. 2542), and to allow for an approximate 2,166 square foot, two-story building addition to an existing funeral home located on a 1.28 acre tract of land located at 2710 Valley View Lane within the Office zoning district as described in Exhibit "A" and more fully depicted in Exhibit B" attached hereto.

**SECTION 3.** That Ordinance No. 2542 is valid and in full force with the exception of the amendments herein.

**SECTION 4.** That the City Council does hereby approve the site plan attached hereto as Exhibit "C" as an amendment to the site plan approved and attached to Ordinance No. 2542.

**SECTION 5.** That the use shall be conducted in strict accordance to the plan of operation, file-dated August 5, 2005 and attached hereto as Exhibit "D" and the plan of operation approved and attached to Ordinance No. 2542.



**SECTION 6.** That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of amendment to a site plan associated with an existing specific use permit (Ordinance No. 2542), and to allow for an approximate 2,166 square foot, two-story building addition to a funeral home.

**SECTION 7.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

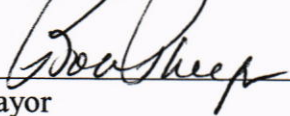
**SECTION 8.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand (\$2,000.00) dollars for each offense.

**SECTION 9.** In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

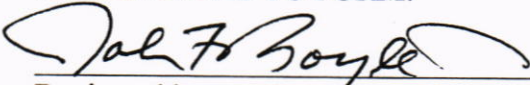
**SECTION 10.** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 3rd day of October, 2005.


APPROVED:

  
Mayor

APPROVED AS TO FORM:

  
Reviewed by Matthew Boyle on 9/22/2005

ATTEST:

  
City Secretary

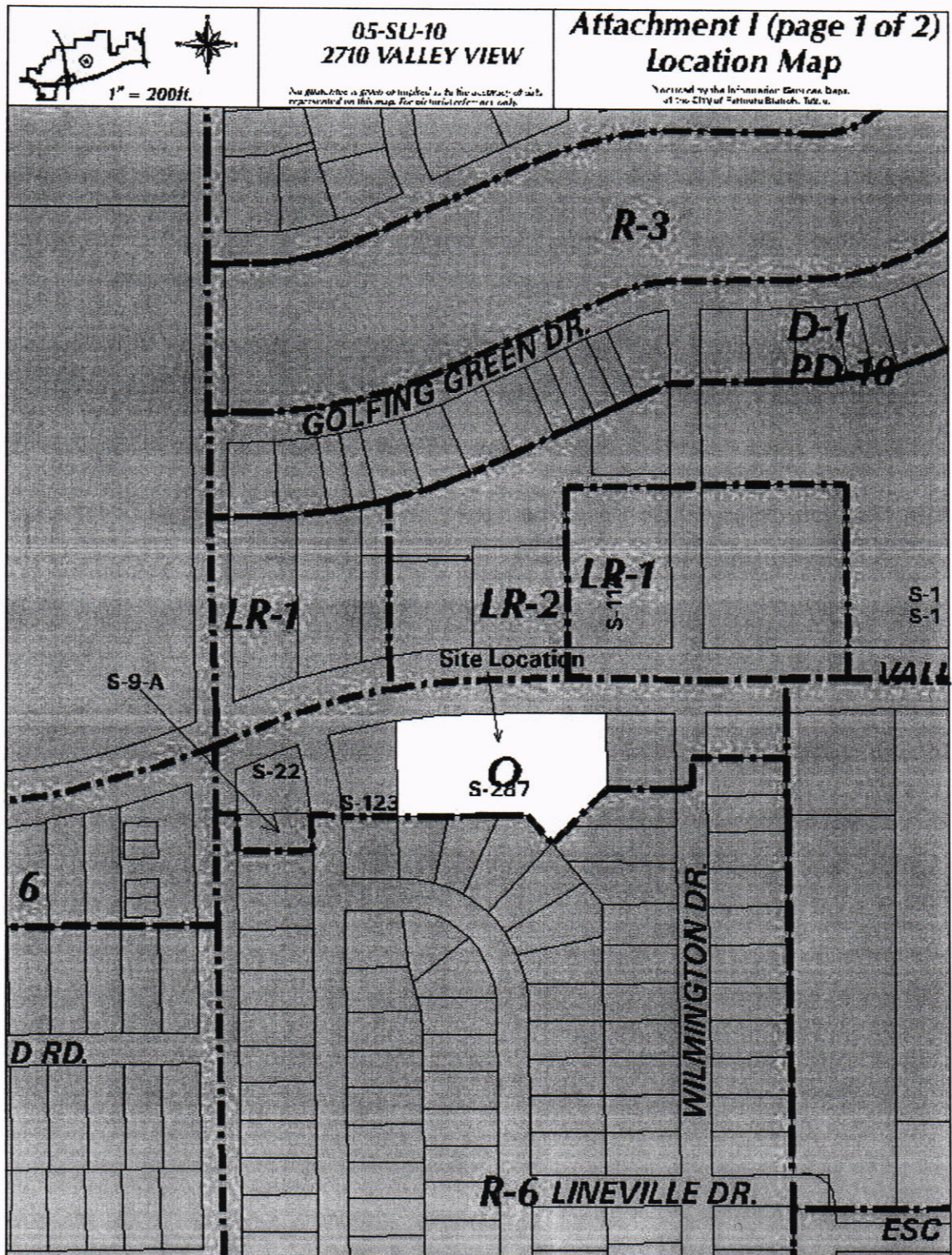
**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Lot 1, Block A, Brooks Subdivision, Farmers Branch, Texas

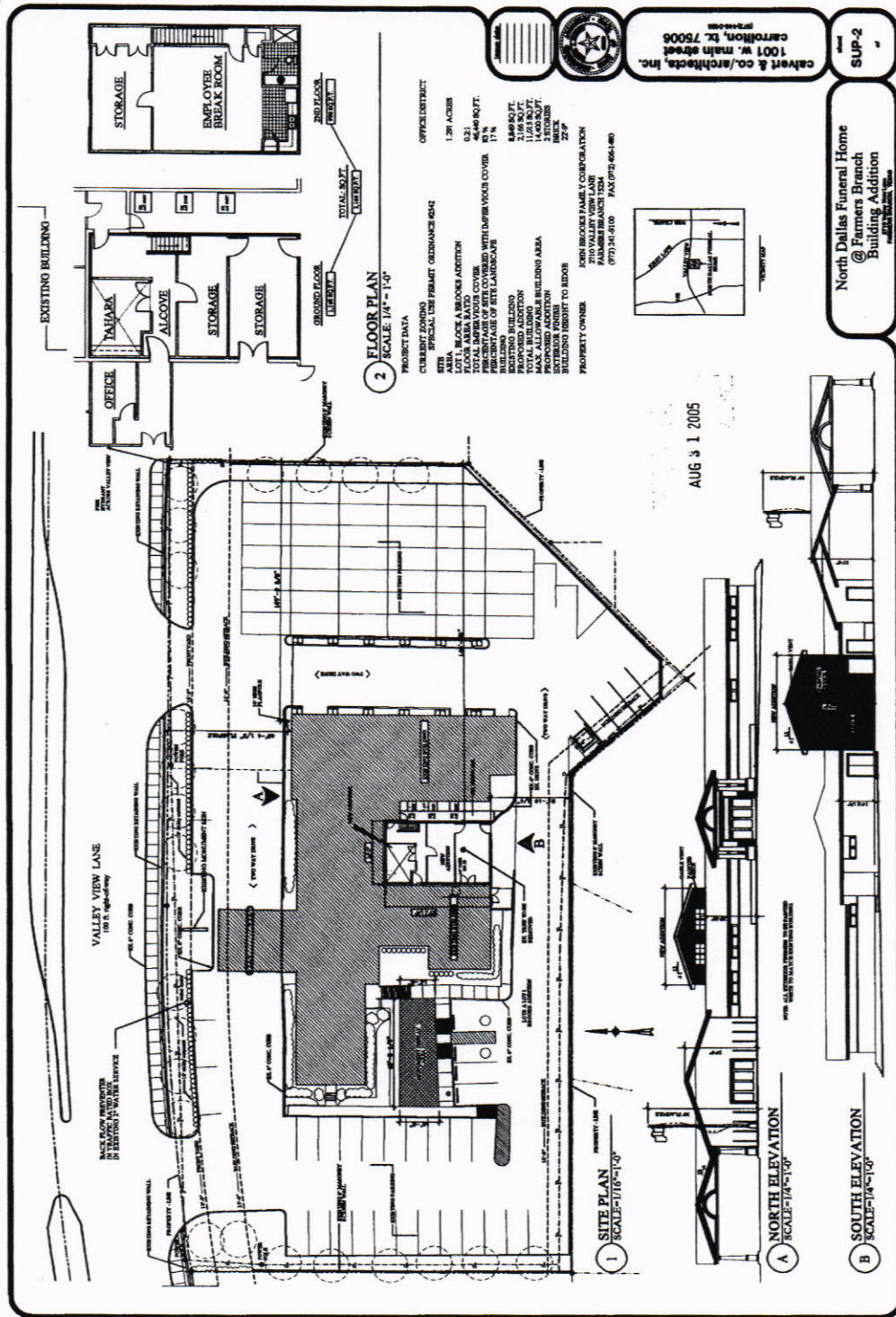


EXHIBIT "B"





# EXHIBIT "C"



**EXHIBIT "D"**

**John P. Brooks Family Corporation**

2710 Valley View Lane  
Farmers Branch, Texas 75234  
972 241-9100 214 406-1480 FAX

Planning and Zoning Commission  
City of Farmers Branch  
1300 Wm, Dodson Pkwy. Farmers  
Branch, Texas 75381-9010

**PLAN OF OPERATION**

The John P. Brooks Family Corporation is operating a building at 2710 Valley View Lane, Farmers Branch, Texas as North Dallas Funeral Home at Farmers Branch. The hours of operation are 8:00A.M. to 5:00P.M. except when family visitations are scheduled. On those occasions we will stay open until 9:00P.M. We are staffed with 4 employees including funeral directors who will meet with families to arrange funeral services which will include casket selections. (No new employees are anticipated as a result of the proposed building addition). When the deceaseds arrive at the funeral home they will be brought into the south (back) entrance. The same entrance will be used for casket deliveries and other supplies. Upon arrival the deceased will be taken to the preparation or embalming room and prepared. The deceased will be casketed in the dressing room area. The casketed remains will then be assigned to a state room. The proposed building addition will not increase the size of the chapel.

During funeral services and/or visitations an attendants) work the parking lot to assist all visitors- During funeral services the west parking area is used for those not going to the graveside service. The east parking area is for those who will be following the hearse to the cemetery. Vehicles will be parked in-line facing Valley View Lane during the funeral services. Any overflow parking be acquired in the event extra parking is needed. The processions will exit the east driveway with motor cycle escorts. After hours, funeral vehicles are parked under the carport on the east side of the building.

Below is a general list of services:

- Family consultations/Pre-arranged funeral sales
- Embalming
- Casket sales/show room/urn sales
- Family visitations
- Funerals

Sincerely,



John P. Brooks, President

